

Message Text

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ACTION NEA-10

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FM AMEMBASSY TRIPOLI
TO SECSTATE WASHDC IMMEDIATE 4517

C O N F I D E N T I A L SECTION 1 OF 2 TRIPOLI 0850

FOR NEA/AFN

E.O. 11652: GDS
TAGS: SHUM, LY
SUBJ: HUMAN RIGHTS: COUNTRY EVALUATION PLAN FOR LIYBA

REF: STATE 147623

IN OUR VIEW NEA/AFN'S DRAFT IS A BIT TOO NEGATIVE. LIBYA'S
RECORD ON HUMAN RIGHTS HAS BEEN NO WORSE THAN THAT OF MOST
DEVELOPING NATIONS. OUR COMMENTS AND SUGGESTIONS ON THE
DRAFT FOLLOW:

1. A. THE SENTENCE ON TORTURE IS TOO HARSH. SINCE THERE
HAVE BEEN NO SUBSTANTIATED REPORTS OF TORTURE OR DEATH, WE
SUGGEST THE WORDING BE MODIFIED TO READ "THERE WERE NO
SUBSTANTIATED REPORTS OF TORTURE OR DETAH."

1. B. WE QUESTION WHETHER "SEVERAL HUNDREDS" WERE
ARRESTED AND SUGGEST THE FOLLOWING MODIFICATION: "THERE
WERE ARRESTS OF AT LEAST A HUNDRED PEOPLE."

1. C. AGAIN, WE DOUBT IF "SEVERAL HUNDRED" WERE DETAINED.
ALTERNATE WORDING COULD BE "SCORES OF STUDENTS". MORE
EMPHASIS SHOULD BE GIVEN TO APRIL EXECUTIONS WHICH
APPEAR TO MARK MAJOR SHIFT IN REGIME'S ATTITUDE
TOWARD POLITICAL DISSIDENTS AND HAVE SPREAD SHOCK,
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FEAR AND APPREHENSION THROUGHOUT THE COUNTRY.

1. D. A SECTION ON WILLIAM THOMAS SHOULD BE INSERTED
IN THE MIDDLE OF THE PARAGRAPH. WORDING COUL BE AS
FOLLOWS: "IN JULY 1975 AN AMERICAN BUSINESSMAN WAS
DETAINED UPON ARRIVAL AT TRIPOLI AIRPORT AND HELD
INCOMMUNICADO FOR ALMOST A MONTH. HE WAS RELEASED

FROM JAIL IN DECEMBER 1975 BUT NOT ALLOWED TO LEAVE LIBYA UNTIL MAY 1976. THERE WERE RUMORS THAT THE LIBYANS THOUGHT HE WAS AN ISRAELI SPY, BUT HE WAS NEVER CHARGED WITH ANY CRIME AND WE ARE STILL AT A LOSS TO UNDERSTAND WHY HE WAS DETAINED AT ALL."

PETROVIK WAS ARRESTED IN 1976, NOT 1977. SINCE HIS LAWYER IS ALSO APPEALING THE SENTENCE, WE SUGGEST THE LAST SENTENCE READ AS FOLLOWS: "IN ADDITION TO AN APPEAL BY HIS LAWYER, THE WORLD PRESS UNION IS APPEALING FOR HIS RELEASE." IT IS RUMORED THAT YUGOSLAV AND LIBYAN GOVERNMENTS ARE NEAR AGREEMENT ON RELEASE AND EXPULSION OF PETROVIK.

1. E. WE SUGGEST THAT "SUPPORT TO" SUCH TERRORIST GROUPS BE CHANGED TO "INVOLVEMENT WITH."

2. B. WE SUGGEST THE FOLLOWING SENTENCE BE ADDED: "HOWEVER, THERE ARE VITURALLY NO REPORTS OF CRUEL, INHUMAN, OR DEGRADING TREATMENT IN LIBYAN PRISONS. IN FACT, AMERICANS ARRESTED IN LIBYA HAVE COMMENTED FAVORABLY ON THE KIND AND HUMANE TREATMENT AFFORDED THEM".

2. C. THE FOLLOWING SHOULD BE ADDED: "THE WILLIAM THOMAS CASE IS THE MOST SIGNIFICANT ONE INVOLVING CONFIDENTIAL

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AN AMERICAN IN RECENT YEARS."

2. D. WE QUESTION NEA/AFN'S PRESUMPTION SINCE SEARCH WARRANTS HAVE BEEN REQUIRED IN SEVERAL RECENT AMERICAN ARREST CASES DEALING WITH DRUGS AND ALCOHOL. WE SUGGEST THE FOLLOWING WORDING: "WHILE IT DOES OCCUR IN POLITICAL CASES, SEARCH WARRANTS ARE GENERALLY REQUIRED IN CIVIL CASES."

3. A. WE SUGGEST THE FOLLOWING WORDING: "CONTROLLED BUT NOT NECESSARILY DENIED. PERSONS SUSPECTED OF CRITICIZING THE GOVERNMENT OCCASIONALLY HAVE BEEN PLACED UNDER HOUSE ARREST OR IMPRISONED. WHILE JEWS HAVE BEEN FORCED TO FLEE, NON-LIBYAN CHRISTIANS CAN STILL HAVE THEIR PLACES OF WORSHIP. HOWEVER, FOR LIBYANS, WHO MUST ALL BE MOSLEMS, THERE IS NO FREEDOM OF RELIGION. THE MEDIA IS STRICTLY CENSORED. NO POLITICAL PARTIES ARE PERMITTED AND PERSONS BELIEVED TO BE SYMPATHIZERS OF POLITICAL IDEOLOGY OR GROUPS NOT AUTHORIZED BY THE GOVERNMENT HAVE BEEN HARRASSED AND IMPRISONED, SOME WITHOUT TRIAL. PUBLIC ASSEMBLY IS CONTROLLED BY THE GOVERNMENT."

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C O N F I D E N T I A L SECTION 2 OF 2 TRIPOLI 0850

FOR NEA/AFN

3. B. THIS SECTION IS TOO HARSH, ESPECIALLY IN VIEW OF RECENT LIBERALIZATION OF EXIT-REENTRY VISA POLICY FOR FOREIGNERS. LAST SENTENCE SHOULD BE DELETED SINCE THOMAS CASE IS MENTIONED SUFFICIENTLY IN 1. D. INSERT. WE SUGGEST THE FOLLOWING WORDING: "OFTEN RESTRICTED. DIPLOMATS NEED PERMISSION FOR ALL TRAVEL BEYOND TRIPOLI. ALL RESIDENTS NEED PERMISSION TO TRAVEL TO OIL FIELDS AND OTHER SENSITIVE AREAS. ROAD BLOCKS, FREQUENTLY IN PLACE AFTER MIDNIGHT OR DURING TIMES OF POLITICAL STRAIN, CAN HINDER FREE MOVEMENT. EXIT VISAS, REQUIRED OF ALL LIBYANS, ARE NOW SEVERELY RESTRICTED FOR TOURIST TRAVEL BUT GENERALLY STILL AVAILABLE FOR BUSINESS, STUDY, OR MEDICAL TREATMENT ABROAD. AT TIMES, THE GOVERNMENT HAS MADE IT DIFFICULT FOR FOREIGNERS TO OBTAIN EXIT-REENTRY OR FINAL EXIT VISAS. A RECENT CASE IN POINT WAS THE "OCCIDENTAL CRISIS" IN THE FALL OF 1975, WHEN FOREIGNERS EMPLOYED BY OXY BECAME PAWNS IN A COMMERCIAL DISPUTE THE LIBYANS WERE HAVING WITH THE COMPANY. HOWEVER, IN RECENT MONTHS THE GOVERNMENT HAS LIBERALIZED ITS POLICY ON EXIT-REENTRY VISAS AND IS NOW GRANTING MULTIPLE USE EXIT-REENTRIES TO AMERICANS WHOSE COMPANIES REQUEST THEM."

3. C. WE HAVE NO COMMENTS.

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R. A. SHOULD SAY "SINCE THE LATE 60'S" AND "DRAMATIC" IMPROVEMENT.

4. B. ESSENTIALLY CORRECT.

5. FIRST SENTENCE SHOULD END AS FOLLOWS: "ON THE GROUNDS OF IDEOLOGY AND NATIONAL SECURITY".

6. THERE WAS A VERY LOW KEY AI VISIT TO LIBYA IN LATE 1976 OR EARLY 1977. THIS ECTION SHOULD READ AS FOLLOWS: "LIBYA AGREED TO A QUIET, LOW KEY AMNESTY INTERNATIONAL VISIT IN LATE 1976 OR EARLY 1977."

7. B-D. ESSENTIALLY CORRECT. HOWEVER, THERE COULD BE A BIT MORE STRESS ON LIBYAN COUNTER-CRITICISM OF THE HUMAN RIGHTS SITUATION OF THE ARABS LIVING UNDER ISRAELI CONTROL AND WHETHER USG IS EVEN-HANDED IN CRITICISM OF ALLEGED ISRAELI DENIAL OF HUMAN RIGHTS TO ARAB POPULATION.

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